FILED
MAY 15 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff,

v.

Jesus Manuel PEREZ (1)
Jose GONZALEZ-Perales (2)

Defendants.

Magistrate Case No.: '08 MJ 8422

COMPLAINT FOR VIOLATION OF
21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

On May 14, 2008, within the Southern District of California, defendants Jesus Manuel PEREZ and Jose GONZALEZ-Perales did knowingly and intentionally import approximately 22.60 kilograms (49.72 pounds) of cocaine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Renato Gates
~~Cole Dotson,~~ Special Agent
U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 15TH, DAY OF MAY 2008.

PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

UNITED STATES OF AMERICA
v.
Jesus Manuel PEREZ (1)
Jose GONZALEZ-Perales (2)

STATEMENT OF FACTS

This statement of facts is based on personal observation, investigation, and information provided to U. S. Immigration and Customs Enforcement Special Agent Dotson.

On May 14, 2008, at approximately 1020 hours, Jesus Manuel PEREZ and Jose GONZALEZ-Perales entered the United States at the Calexico, California, West Port of Entry. PEREZ was driver and registered owner of a 2000 Chrysler Sebring, bearing California license plate 6AMX948. GONZALEZ was passenger of said vehicle.

In primary, PEREZ and GONZALEZ gave Customs and Border Protection Officer (CBPO) J. Stensgard negative Customs declarations. CBPO Stensgard referred PEREZ, GONZALEZ and the vehicle to the secondary lot for closer examination.

In the vehicle secondary lot, CBPO S. Barela utilizing a canine conducted an inspection of the vehicle. The canine alerted, responding to the backseat area of the vehicle.

A subsequent inspection of the vehicle by CBPO L. Garcia revealed 20 packages concealed in a non-factory compartment behind the back seat. CBPO Garcia probed one of the packages and a sample of white powdery substance was obtained. The sample field-tested positive for cocaine. The 20 packages had a combined net weight of approximately 22.60 kilograms (49.72 pounds).

PEREZ and GONZALEZ were each placed under arrest and each were separately advised his Rights, per Miranda. During each interview, both PEREZ and GONZALEZ acknowledged his rights, waived his rights, and agreed to answer questions.

During the PEREZ interview, PEREZ stated to Special Agent Dotson stated he thought the vehicle contained 20 kilograms of marijuana. PEREZ stated was to be paid $1,500.00 to take the vehicle to the “hotel near the carwash” in Calexico, CA. PEREZ and GONZALEZ are friends, and they spend time together. PEREZ stated GONZALEZ called him yesterday to arrange a ride to GONZALEZ' Probation Officer's office in El Centro. PEREZ picked GONZALEZ up from GONZALEZ' girlfriend's house this morning (05/14/2008).

During the GONZALEZ interview, GONZALEZ denied knowledge of any illegal substance in the vehicle. GONZALEZ stated he had never seen the vehicle before today (05/14/2008). GONZALEZ stated they are only roommates and they don't see each other much. GONZALEZ rarely calls PEREZ on the phone. The last time GONZALEZ called PEREZ was last week. GONZALEZ and PEREZ happened to meet each other as GONZALEZ was going to the bus station in order to see his Probation Officer. PEREZ offered GONZALEZ a ride instead.